

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FLAGSTAR BANK FSB,

Plaintiff,

Case No. 19-cv-11512

Hon. Matthew F. Leitman

v.

MICHAEL C. HILD, *et al.*,

Defendants.

**AMENDED ORDER¹ REQUIRING PLAINTIFF TO SERVE
DEFENDANT CHARLES DARREN STUMBERGER
WITH DOCUMENTS RELATED TO AMENDED MOTION FOR
DEFAULT JUDGMENT (ECF No. 94)**

In this action, Plaintiff Flagstar Bank FSB (“Flagstar”) alleges that Defendant Charles Darren Stumberger participated in a scheme to defraud Flagstar. (*See* Amended Compl., ECF No. 15.) Stumberger was the Portfolio Manager for Live Well Financial, Inc. (“Live Well”). (*See id.*, PageID.454-455.) Flagstar alleges that Stumberger, alongside others, falsely inflated the value of bonds serving as collateral for Flagstar’s loans to Live Well. (*See id.*)

Flagstar served Stumberger with a copy of the Complaint on October 6, 2023. (*See* Certificate of Service, ECF No. 84.) He was required to appear and file an

¹ This amended order corrects the time of the hearing on Flagstar’s motion for default judgment. The date and time of the hearing is **April 1, 2024, at 2:30 p.m.**

answer or other responsive pleading by October 27, 2023. *See* Fed.R.Civ.Proc. 12(a)(1)(A)(i). To date, Stumberger has not appeared in this action, nor has he filed any response to the Complaint. (*See* Dkt.) The Clerk of the Court entered a default against Stumberger on November 16, 2023. (*See* Default, ECF No. 86.)

On December 22, 2023, Flagstar filed a motion for a default judgment against Stumberger. (*See* Mot., ECF No. 87.) The Court scheduled a hearing on that motion for April 1, 2024, at 2:30 p.m. (*See* Notice of Hearing, ECF No. 92.) After the Court set a hearing on that motion, Flagstar filed an amended motion for default judgment. (*See* Am. Mot., ECF No. 94.) The Court has now scheduled the amended motion for a hearing on **April 1, 2024, at 2:30 p.m.**

By no later than **March 11, 2024**, Flagstar shall serve Stumberger with (1) the amended motion for default judgment, (2) the Notice of Hearing on the amended motion, (3) this order, (4) the Zoom link provided by the Court so that Stumberger can access the Zoom hearing, and (5) a proposed default judgment. Flagstar may serve these documents on Stumberger by the alternative means identified in its motion for alternative service. (*See* Mot., ECF No. 91.)

In addition, by no later than **March 11, 2024**, Flagstar shall file a Certificate of Service on the docket confirming that it has served Stumberger with these documents.

Finally, by no later than **March 11, 2024**, Flagstar shall submit the proposed default judgment to the Court through the Utilities function of CM/ECF.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: March 5, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 5, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126